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United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Lesotho, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine: draft resolution

Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including its resolution 65/100 of 10 December 2010,

Recalling also the relevant resolutions of the Security Council,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2010,[1]

Taking note of the letter dated 22 June 2011 from the Chair of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to the Commissioner-General,[2]

Deeply concerned about the critical financial situation of the Agency, caused in part by the structural underfunding of the Agency, as well as its rising expenditures resulting from the deterioration of the socio-economic and humanitarian conditions and the instability in the region and their significant

[1] *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 13* (A/66/13); and ibid., *Supplement No. 13A* (A/66/13/Add.1).

[2] Ibid., pp. vi and vii.

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negative impact on the provision of necessary Agency services to the Palestine refugees, including its emergency-related and development programmes,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[3]

Recalling also the Convention on the Safety of United Nations and Associated Personnel,[4]

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[5] to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of the Palestine refugees in all fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Gravely concerned about the extremely difficult socio-economic conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, particularly in the refugee camps in the Gaza Strip, as a result of the continuing prolonged Israeli closures, the construction of settlements and the wall, and the severe economic and movement restrictions that in effect amount to a blockade, which have deepened unemployment and poverty rates among the refugees,

Gravely concerned also about the continuing negative repercussions of the military operations in the Gaza Strip between December 2008 and January 2009, which caused extensive loss of life and injury, particularly among Palestinian civilians, including children and women; widespread destruction and damage to Palestinian homes, properties, vital infrastructure and public institutions, including hospitals, schools and United Nations facilities; and internal displacement of civilians, including refugees,

Commending the extraordinary efforts by the Agency to provide emergency relief, medical, food, shelter and other humanitarian assistance to needy and displaced families in the Gaza Strip,

Recalling, in this regard, its resolution ES-10/18 of 16 January 2009 and Security Council resolution 1860 (2009) of 8 January 2009,

Expressing regret over the continued restrictions that impede the Agency's efforts to repair and rebuild thousands of damaged or destroyed refugee shelters, and calling upon Israel to ensure the unimpeded import of essential construction materials into the Gaza Strip, while taking note of recent developments regarding the situation of access there,

Expressing concern about the severe classroom shortage in the Gaza Strip and the consequent negative impact on the right to education of refugee children as a result of the constraints on the ability of the Agency to construct new schools due to Israel's ongoing restrictions impeding the entry of necessary construction materials into the Gaza Strip,

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[3] Resolution 22 A (I).

[4] United Nations, *Treaty Series*, vol. 2051, No. 35457.

[5] Ibid., vol. 75, No. 973.

Stressing the urgent need for the advancement of reconstruction in the Gaza Strip, including through the completion of suspended projects managed by the Agency, and for the accelerated implementation of other urgent United Nations-led civilian reconstruction activities,

Urging the continuing disbursement of pledges made at the International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza, held in Sharm el-Sheikh, Egypt, on 2 March 2009, to accelerate the reconstruction process,

Noting with appreciation the completion of the first phase of the project to rebuild the Nahr el-Bared refugee camp, commending the Government of Lebanon, donors, the Agency and other concerned parties for the important progress made and for the continuing efforts to assist affected and displaced refugees, and emphasizing the need for additional funding to complete the reconstruction of the camp and end the displacement of its 27,000 residents without delay,

Aware of the valuable work done by the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Deploring the endangerment of the safety of the Agency's staff and the damage and destruction caused to the facilities and properties of the Agency, including damage caused to the Agency's "Summer Games" recreational properties, during the reporting period,

Deploring also, in particular, the extensive damage and destruction of Agency facilities in the Gaza Strip caused during the military operations between December 2008 and January 2009, including schools where civilians were sheltered and the Agency's main compound and warehouse, as reported in the summary by the Secretary-General of the report of the Board of Inquiry[6] and in the report of the United Nations Fact-finding Mission on the Gaza Conflict,[7]

Deploring further, in this regard, the breaches of the inviolability of United Nations premises, the failure to accord the property and assets of the Organization immunity from any form of interference and the failure to protect United Nations personnel, premises and property,

Deploring the killing and injury of Agency staff members by the Israeli occupying forces in the Occupied Palestinian Territory since September 2000,

Deploring also the killing and wounding of refugee children in the Agency schools by the Israeli occupying forces during the military operations between December 2008 and January 2009,

Deeply concerned about the continuing imposition of restrictions on the freedom of movement and access of the Agency's staff, vehicles and goods, and the injury, harassment and intimidation of the Agency's staff, which undermine and obstruct the work of the Agency, including its ability to provide essential basic and emergency services,

Aware of the agreement between the Agency and the Government of Israel,

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[6] See A/63/855-S/2009/250.

[7] A/HRC/12/48.

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[8]

1. *Reaffirms* that the effective functioning of the United Nations Relief and Works Agency for Palestine Refugees in the Near East remains essential in all fields of operation;

2. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the difficult conditions and unstable circumstances faced during the past year;

3. *Expresses special commendation* to the Agency for the essential role that it has played for over sixty years since its establishment in providing vital services for the well-being, human development and protection of the Palestine refugees and the amelioration of their plight;

4. *Expresses its appreciation* for the important support provided by the host Governments to the Agency in the discharge of its duties;

5. *Expresses its appreciation* to the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and requests it to continue its efforts and to keep the General Assembly informed of its activities;

6. *Takes note with appreciation* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East[9] and the efforts to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

7. *Commends* the Agency's six-year Medium-Term Strategy, which commenced in January 2010, and the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency's programme budget for the biennium 2012-2013;[10]

8. *Also commends* the Agency for sustaining its reform efforts, and urges it to continue to apply maximum efficiency procedures to reduce operational and administrative costs and to maximize the use of resources;

9. *Takes note with appreciation* of the report of the Secretary-General on the strengthening of the management capacity of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[11] and further urges all Member States to carefully consider its proposal for support by the Secretary-General of the institutional strengthening of the Agency through the provision of financial resources from the regular budget of the United Nations;

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[8] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13* (A/49/13), annex I.

[9] A/66/520.

[10] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 13A* (A/66/13/Add.1).

[11] A/65/705.

10. *Endorses* the efforts of the Commissioner-General to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are internally displaced and in serious need of continued assistance as a result of recent crises in the Agency's fields of operation;

11. *Welcomes* the progress made thus far by the Agency in rebuilding the Nahr el-Bared refugee camp in northern Lebanon, and calls for the expeditious completion of its reconstruction, for the continued provision of relief assistance to those displaced following its destruction in 2007 and for the alleviation of their ongoing suffering through the fulfilment of pledges made at the International Donor Conference for the Recovery and Reconstruction of the Nahr el-Bared Palestine Refugee Camp and Conflict-affected Areas of Northern Lebanon, held in Vienna on 23 June 2008;

12. *Encourages* the Agency, in close cooperation with other relevant United Nations entities, to continue making progress in addressing the needs and rights of children, women and persons with disabilities in its operations in accordance with the Convention on the Rights of the Child,[12] the Convention on the Elimination of All Forms of Discrimination against Women,[13] and the Convention on the Rights of Persons with Disabilities,[14] respectively;

13. *Commends*, in this regard, the Agency's "Summer Games" initiative providing recreational, cultural and educational activities for children in the Gaza Strip and, recognizing its positive contribution, calls for full support of the initiative;

14. *Expresses concern* about the relocation of the international staff of the Agency from its headquarters in Gaza City and the disruption of operations at the headquarters due to the deterioration and instability of the situation on the ground;

15. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[5]

16. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[3] in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem;

17. *Urges* the Government of Israel to expeditiously reimburse the Agency for all transit charges incurred and other financial losses sustained as a result of delays and restrictions on movement and access imposed by Israel;

18. *Calls upon* Israel particularly to cease obstructing the movement and access of the staff, vehicles and supplies of the Agency and to cease the levying of taxes, extra fees and charges, which affect the Agency's operations detrimentally;

19. *Reiterates its call upon* Israel to fully lift the restrictions impeding the import of necessary construction materials and supplies for the reconstruction and

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[12] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[13] Ibid., vol. 1249, No. 20378.

[14] Resolution 61/106, annex I.

repair of thousands of damaged or destroyed refugee shelters, and for the implementation of suspended civilian infrastructure projects in refugee camps in the Gaza Strip, while noting the commencement of several projects in this regard;

20. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

21. *Notes with appreciation* the progress made by the Agency in the modernization of its archives through the Palestine Refugee Records Project, including the completion of phase I, and encourages the Commissioner-General to finalize the remaining components of the Project as rapidly as possible and to report on the progress made to the General Assembly at its sixty-seventh session;

22. *Also notes with appreciation* the success of the Agency's microfinance programme, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the development of the economic and social stability of the Palestine refugees in all fields of operation;

23. *Reiterates its appeals* to all States, the specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships for higher education to Palestine refugees in addition to their contributions to the regular budget of the Agency and to contribute to the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

24. *Urges* all States, the specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency in order to address the serious financial constraints and underfunding, especially with respect to the Agency's regular budget deficit, noting that financial shortfalls have been exacerbated by the current humanitarian situation on the ground that has resulted in rising expenditures, in particular with regard to emergency services, and to support the Agency's valuable and necessary work in assisting the Palestine refugees in all fields of operation.